

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

FADI B. CHAIBAN, et al.,)

Defendant.)

2:06-cr-0091-RLH-PAL

ORDER

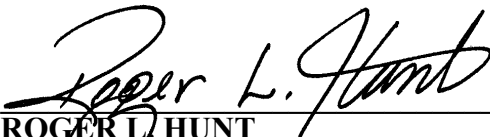
Before this Court is the Report of Findings and Recommendation and Order (#87, filed February 2, 2007) of United States Magistrate Judge Peggy A. Leen, entered by Judge Leen regarding Defendant's Motion to Dismiss (#56) and the Government's Motion for Evidentiary Ruling (#70) and the Motion to Withdraw (#73) said motion. Objections (#89) were filed to Magistrate Judge Leen's Report of Findings and Recommendation and Order (directed to the Findings and Recommendation regarding his Motion to Dismiss) in accordance with Local Rule IB 3-2 of the Rules of Practice of the United States District Court for the District of Nevada. The Government filed a Response (#90) thereto, following which Defendant filed a Reply to Government's Response (#91) and the Government filed a Rejoinder to Defendant's Reply (#92). The matter was then submitted for consideration.

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Report of Findings and Recommendation of Magistrate Judge Leen should be accepted and adopted, and her Order is not clearly erroneous or contrary to law and should be affirmed.

1 IT IS THEREFORE ORDERED that Magistrate Judge Leen's Report of Findings
2 and Recommendation (#87) is AFFIRMED and ADOPTED, Defendant's Objections (#89) are
3 overruled and Defendant's Motion to Dismiss (#56) is denied.

4 IT IS FURTHER ORDERED that Magistrate Judge Leen's Order (#87) is affirmed,
5 and the Government's Motion to Withdraw the Motion for Evidentiary Ruling (#73) is granted and
6 Motion for Evidentiary ruling (#70) is withdrawn and denied as moot..

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8 Dated: March 23, 2007.

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11 **ROGER L. HUNT**
12 Chief U.S. District Judge
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